IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 2693 of 2005

Between:

1 Smt. S. Sita Devi W/o. S. Srinivasa Rao,
R/o. House No. 7-1-65/3, Dharamkaran Road, Ameerpet, Hyderabad.
2 Smt. Chekuri Saradamba, W/o. Chekuri Krishnam Raju,
R/o. EWS 10, Dharma Reddy Colony, KPHB, Hyderabad.

... PETITIONERS

AND

1 Nizampet Gram Panchayat, rep. by its Secretary,
Nizampet Village, Qutubullapur Mandal, Ranga Reddy District.
2 Mandal Revenue Officer, Qutubullapur Mandal, Ranga Reddy District.
3 Smt. Sara Anasuyamma W/o. Late Chandraiah, rep. by her G.P.A. Holder,
Sri G.V. Ramana Reddy S/o. G. Krishna Reddy, aged about 54 years,
Occ: Business, R/o. 301, Gokul Enclave, Kukutpally, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any appropriate Writ, order or direction preferably a writ in the nature of Mandamus, declaring the action of the third respondent in high handedly demolishing portions of the compound walls constructed by the petitioners enclosing their respective properties, namely Plot No. 81, admeasuring 470 sq. yds. equivalent to 392.98 sq.mtrs. belonging to the first petitioner, and Plot No. 82 admeasuring 400 sq. yds equivalent to 334.45 sq. mtrs, belonging to the second petitioner, situated in Survey Nos. 104,106,107,181,182,186,184 part and 185 part, of Nizampet Village, Medchal Taluk, Qutubullapur Mandal, Ranga Reddy District, as being illegal, arbitrary and violative of Articles 14 and 300-A of the Constitution of India and contrary to the principles of natural justice, and consequently direct the respondents not to demolish the compound walls constructed by the petitioners or interfere with the petitioners' peaceful possession and enjoyment of their respective properties.

Counsel for the Petitioners: MR.P.VENUGOPAL
Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following:

ORDER:

This writ petition is filed seeking declaration that the alleged action of the second respondent-Mandal Revenue Officer, in high-handedly demolishing the portions of the compound walls constructed by the petitioners enclosing their respective properties, namely Plot No.81, admeasuring 470 Sq.Yds., equivalent to 392.98 Sq.,Mtrs., belonging to the first petitioner and Plot No.82 admeasuring 400 Sq.Yds., equivalent to 334.45 Sq.Mtrs., belonging to the second petitioner, situated in Sy.Nos.104, 106, 107, 181, 182, 186, 184 part and 185 part of Nizampet Village, Medchal Taluk, Qutubullapur Mandal, Ranga Reddy District is arbitrary and illegal.

This Court while granting time to the learned Government Pleader for Revenue by order dated 16-02-2005 granted interim direction to the respondents not to interfere with the possession of the petitioners without following due process of law.

Today, when the matter is taken up for consideration, the learned Government Pleader for Revenue, under instructions states that the second respondent is not interfering with the possession of the petitioners. In view of the submission made by the learned Government Pleader, no adjudication is necessary on merits.

Accordingly, recording the submission of the learned Government Pleader that the second respondent-Mandal Revenue Officer, is not interfering with the possession of the petitioners in respect of the properties in question, the writ petition is disposed of. No order as to costs.

_____

G. ROHINI, J

Dated: 18-02-2005

LSK

ASSISTANT REGISTRAR

To

1 The Secretary, Nizampet Gram Panchayat,
Nizampet Village, Qutubullapur Mandal, Ranga Reddy District.
2 The Mandal Revenue Officer, Qutubullapur Mandal, Ranga Reddy District.
3 Two C.Cs. to the Government Pleader for Revenue, High Court Buildings, Hyderabad. (O.U.T.)

5 Two C.D. copies.